

EXHIBIT 101

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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
C.A. 1:14-cv-14176
-----x
STUDENTS FOR FAIR ADMISSIONS, INC.,
Plaintiff
vs.
PRESIDENT AND FELLOWS OF HARVARD COLLEGE
(HARVARD CORPORATION),
Defendant
-----x

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DEPOSITION OF ELIZABETH YONG, a witness
called on behalf of the Plaintiff, taken
pursuant to the Federal Rules of Civil
Procedure, before Deborah G. Rumson, RPR,
CSR, and Notary Public, in and for the
Commonwealth of Massachusetts, at the Offices
of Wilmer Cutler Pickering Hale and Dorr,
LLP, 60 State Street, Boston, Massachusetts,
on Friday, March 24, 2017, commencing at
9:02 a.m.

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1 around for the class?

2 MR. WOLFSON: Objection.

3 A. I do not know exactly why.

4 Q. But that's not atypical volume of missing
5 alumni interviewer scores, in your
6 experience?

7 MR. WOLFSON: Objection.

8 A. That's correct.

9 Q. Do you know whether there's any significance
10 to why a student would or would not have an
11 alumni interview?

12 A. No.

13 Q. Were alumni interviews done when you were
14 reading files?

15 A. Yes.

16 Q. And were there occasions when you would have
17 a competitive applicant who would not get an
18 alumni interview?

19 A. I cannot remember.

20 Q. You cannot remember if there ever were, or
21 one way or the other?

22 A. One way or the other.

23 Q. In your experience, does the existence of a
24 alumni interview say anything about the

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1 quality of the applicant?

2 A. No.

3 Q. Do you ever recall, in your time as a reader,
4 specifically requesting that an applicant
5 receive an alumni interview?

6 A. Yes.

7 Q. Why would you do that?

8 A. To make sure that I had the alumni interview
9 before presenting my case.

10 Q. Why would you want the alumni interview?

11 A. It was a requirement. And back in, when I
12 was doing admissions, an alumni interview was
13 a requirement, especially for areas where we
14 had large numbers of alumni.

15 Q. It's your understanding it's no longer a
16 requirement?

17 MR. WOLFSON: Objection.

18 A. I do not know because I have not done
19 committee work since 1992.

20 Q. When the alumni interview scores are entered
21 into the database, is there also information
22 about the identity of the alumni interviewer
23 that's captured?

24 A. What time frame are you referring to?

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1 A. That's correct.

2 Q. Recruited athletes, is that something that's
3 typically tracked on the one-pagers?

4 A. Yes.

5 Q. Where did that information come from?

6 A. A recruited athlete is an athlete that has
7 been contacted by the athletic department,
8 and we would get that designation from them.

9 Q. That's a field that you track in the database
10 that you administered?

11 A. Yes.

12 Q. It's just a box, yes or no, recruited
13 athlete?

14 A. No. It was a box with a rating.

15 Q. Do you recall what the field was titled?

16 A. Ath status or ath stat.

17 Q. What would the ratings be for ath status?

18 A. 1, 2, or 3 for a recruited athlete.

19 Q. Which is for a recruited athlete?

20 A. 1, 2, or 3, and it would be ath status.

21 Q. So any one of those ratings still corresponds
22 to the recruited athlete?

23 A. That is correct.

24 Q. Is a 1 better than a 3?

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1 MR. WOLFSON: Objection.

2 A. According to the coach.

3 Q. The coaches would assign the 1, 2, or 3
4 levels?

5 A. That's correct.

6 Q. There's the reference here to citizenship.
7 Is that information that came from the
8 Common App?

9 A. That is correct.

10 Q. Then we have three separate categories of
11 ethnic identity identifications?

12 A. Yes.

13 Q. These are old methodology, new methodology,
14 and IPEDS?

15 A. Yes.

16 Q. What is the differences between these three
17 groupings?

18 MR. WOLFSON: Objection.

19 A. The old methodology is the methodology that
20 has been used since we started tracking
21 ethnicity.

22 The new methodology counts every
23 check box that is downloaded from the
24 Common App.

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1 issue," do you see that language?

2 A. Yes.

3 Q. Do you have a recollection as to what that's
4 about?

5 A. No.

6 (Document marked as [Exhibit 16](#) for
7 identification)

8 Q. I'm going to hand you a document that's been
9 marked as [Exhibit 16](#).

10 A. (Witness reviews exhibit)

11 Q. Have you had a chance to review this?

12 A. Yes.

13 Q. Do you recognize this exchange?

14 A. No.

15 Q. Does it appear to be an e-mail chain between
16 you and Dan Zupan?

17 A. Yes.

18 Q. Who was Dan Zupan?

19 A. He was the director of information services
20 after me.

21 Q. When you were serving in the projects
22 coordinator role?

23 A. Yes.

24 Q. In the top part of this chain, the last

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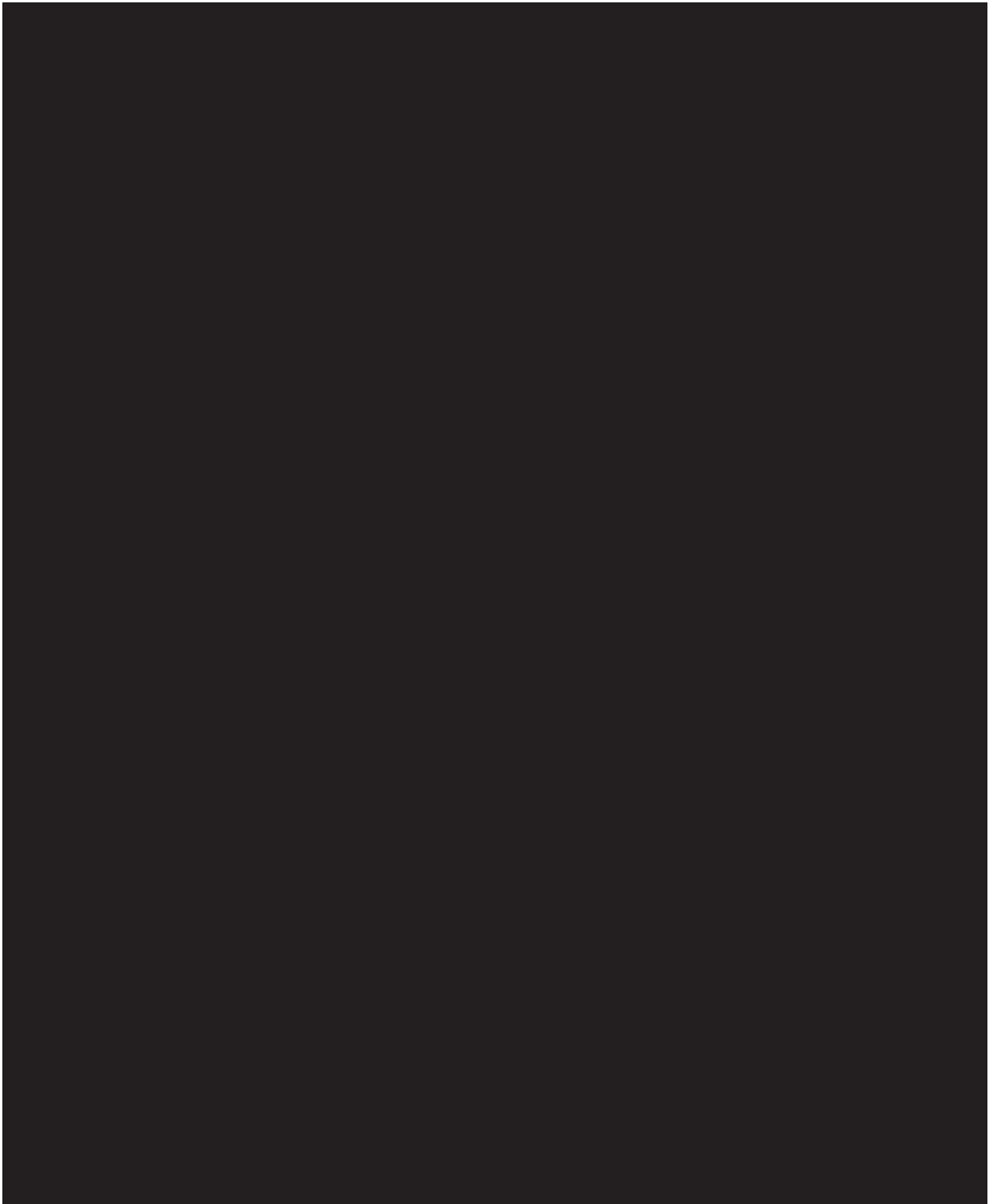
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1 admissions office?

2 A. She is an admissions officer, and I think she
3 oversees the operational part and data
4 analysis.

5 Q. Do you recall meeting with them on
6 February 25, 2013?

7 A. No.

8 Q. But you said you did sort of recognize the
9 substance of this e-mail?

10 A. Yes.

11 Q. How do you recognize it?

12 A. It describes the files that we send to OIR at
13 the end of the admissions or what we used to
14 send to them at the end of the admissions
15 process.

16 Q. And so do you recall, in particular, why he
17 was asking for some changes to these files
18 going forward?

19 A. I do not recall, in particular, why he was
20 asking for changes.

21 Q. Do you know whether any particular task or
22 project prompted these requests?

23 A. I do not know.

24 Q. Do you recall responding to his questions in

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1 applicants?

2 A. Yes.

3 Q. Hundreds of applicants?

4 A. Yes.

5 Q. Thousands?

6 A. I can't remember how many folders I read.

7 Q. It was more than 100?

8 A. Yes.

9 Q. Do you know about how many folders were -- do
10 you know how many folders are in each docket?

11 A. It depends on the docket. Some dockets are
12 bigger than others.

13 Q. Aren't they attempted to roughly equalize the
14 reading level?

15 A. Yes.

16 Q. Do you know what the rule of thumb is for
17 what, approximately, is a docket?

18 MR. WOLFSON: Objection.

19 A. No. I cannot recall.

20 Q. Do you think that Asian-Americans are as a
21 group on average not as personality
22 appealing -- are not as personally appealing
23 as other ethnicities?

24 MR. WOLFSON: Objection.

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1 A. No.

2 Q. Do you think that they are not as good at
3 extracurricular activities?

4 A. No.

5 Q. Does it bother you that this seems to suggest
6 that, when you factor in those two things,
7 Asian-American admissions rate goes down?

8 MR. WOLFSON: Objection.

9 A. No.

10 Q. Why not?

11 MR. WOLFSON: Objection.

12 A. Because everybody is rated on extracurricular
13 and personal qualities. It's not like we are
14 just rating Asian students on extracurricular
15 and personal qualities.

16 Q. When you factor in Model 3, which includes
17 the extracurricular and personal scores,
18 every other ethnic group goes up in terms of
19 their projected admit rate, except for the
20 Asian-American, who go down by more than
21 2 points?

22 A. Right.

23 Q. Why isn't that an implication that the scores
24 are disfavoring the Asian-American

1 applicants?

2 MR. WOLFSON: Objection.

3 A. How could you tell if it is disfavoring or if
4 it is the fact that, perhaps, certain
5 students are not as involved
6 extracurricularly or -- you can't tell from a
7 number whether it is a disfavor or if it is a
8 fact.

9 Q. That's true. But you just told me that,
10 based on your experience of reading, you
11 didn't think that they were weaker at
12 extracurricular activities?

13 MR. WOLFSON: Objection.

14 A. I said based on my experience of reading from
15 my group of students.

16 Q. So you think other people in the office were
17 seeing that Asian-Americans as a group were
18 less accomplished at extracurricular
19 activities?

20 MR. WOLFSON: Objection.

21 A. I do not know.

22 Q. Do you know whether other people who were
23 reading files found that the Asian-American
24 applicants as a group were less personally

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1 appealing?

2 A. I do not know.

3 Q. It wasn't your experience, though?

4 A. It was not my experience.

5 Q. Did the admissions office, in your
6 experience, ever do any analysis to see
7 whether or not its scoring system was
8 yielding uniform results across applications?

9 MR. WOLFSON: Objection.

10 A. Could you explain that.

11 MR. WOLFSON: When you're answering
12 that -- I would like you to repeat the
13 question. But when you're answering that,
14 don't reveal the substance of any
15 communications you had with counsel or work
16 that you did at the direction of counsel.

17 Q. My question is, and I will rephrase it, does
18 the admissions office conduct any regular
19 assessments to ensure that ratings assigned
20 by its readers can be reconciled with one
21 another, that there's consistency across the
22 reading process?

23 MR. WOLFSON: Objection.

24 A. Anything that was not asked by counsel, I

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1 COMMONWEALTH OF MASSACHUSETTS

2 MIDDLESEX, SS

3 I, Deborah G. Rumson, Registered
4 Professional Reporter and Notary Public in
5 and for the Commonwealth of Massachusetts, do
6 hereby certify that pursuant to appropriate
7 notice of taking deposition, there came
8 before me the following-named person, to wit:
9 ELIZABETH YONG, who was by me duly sworn;
10 that she was thereupon examined upon her oath
11 and her examination reduced to writing by me;
12 and that the deposition is a true record of
13 the testimony given by the witness.

14 IN WITNESS WHEREOF, I have hereunto
15 set my hand and seal this 27th day of
16 March, 2017.

17
18 My commission expires:

19 November 20, 2020

20
21 Notary Public
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23
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